

From: Lance Simmons
To: Microsoft ATR
Date: 1/23/02 5:31pm
Subject: Microsoft Settlement

I use the Linux operating system. There are many programs designed for Windows which I can in fact run under Linux, using WINE, a Linux-native re-implementation of the Windows API.

Microsoft, however, includes language in the EULA for some of its software, such as the MSNBC News Alert program, which prohibits me from running the software under any operating system other than Windows.

It seems manifestly unjust that I should be legally bound to run software only on the operating system for which it was originally designed. Given that I can make the software run using my preferred operating system, it seems absurd that Microsoft should have the power to license the software to me only on condition that I do not do so.

I believe that Microsoft has deliberately designed some of its EULA's for operating-system-independent software in such a way as to unfairly reinforce its monopoly in the market for operating systems. I hope you will take this into account as you go forward with the Tunney Act proceedings.

Sincerely,

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